

REMARKS

Claims 1-31 were pending in the present application at the time of the Office Action.

Claims 1-31 stand rejected under U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,084,867 to Meier (“Meier”).

For at least the reasons stated below, the Applicants respectfully traverse the above rejections.

Effective Filing Date

As indicated in the amendment to the specification filed on Aug. 1, 2008, and as indicated in the updated Application Data Sheet filed herewith, the present application is a divisional of Application No. 08/513,658, filed August 11, 1995 (now U.S. Patent No. 6,714,983) (the “parent application”), which is a continuation-in-part of U.S. Application Serial No. 08/114,872, filed August 31, 1993 (now U.S. Patent No. 5,680,633) (the “grandparent application”). The Applicants claim priority back to, at least, such grandparent and/or parent applications.

The Office Action, at page 2, states, “the claimed invention is considered as a new subject matter, therefore 02/26/2004 is considered as the effective filing of the instant application”. The Applicants respectfully disagree with such position.

For example, as shown in the following table, each of the currently pending claims is supported by the disclosure of the grandparent and/or parent applications. For the convenience of the Examiner, the following table refers to column and row numbers of the grandparent 5,680,633 patent and the parent 6,714,983 patent.

Claims	Exemplary Support in the grandparent (‘633 Patent) and/or parent (‘983 Patent) of the present application
1. A system for use in a communication network having a plurality of subnetworks, the system comprising:	See ‘633 Patent, Fig. 48, showing a system (e.g., MCD 1401) for use in a network comprising a plurality of subnetworks (items

	1403 and 1405); and corresponding discussion (<i>e.g.</i> , col. 38, lines 9-14).
a mobile computing device comprising:	See '633 Patent, Fig. 48, showing a mobile computing device (MCD) at item 1401.
a base module comprising a base processing unit operable on data in accordance with a set of communication software routines; and	See '633 Patent, Fig. 1A, and discussion thereof at col. 8, lines 49-62, showing a base module 201, comprising a microprocessor 204, preferably a microcontroller with on-chip masked ROM and RAM, and external ROM 207 and RAM 208; and col. 9, line 53 to col. 10, line 2, discussing software control.
a communication module comprising:	See '633 Patent, Fig. 1A, and discussion thereof (<i>e.g.</i> , at col. 9, lines 5-49) showing a communication module 200; Fig. 2, and discussion thereof (<i>e.g.</i> , at col. 12, lines 53-56), showing a communication module 45; and Fig. 47, and discussion thereof (<i>e.g.</i> , at col. 38, lines 12-14).
a first communication transceiver comprising a first operating characteristic to conduct data communications on a first of the plurality of subnetworks;	For example, a first one of the "multiple transceivers" in MCD 1401. <i>See, e.g.</i> , '633 Patent, Fig. 47 and discussion thereof at col. 38, lines 26-36.
a second communication transceiver comprising a second operating characteristic to conduct data communications on a second of the plurality of subnetworks, the second operating characteristic being different from the first operating characteristic and the second subnetwork being different from the first subnetwork; and	For example, a second one of the "multiple transceivers" in MCD 1401. <i>See, e.g.</i> , '633 Patent, Fig. 47 and discussion thereof at col. 38, lines 26-36.

<p>a communication processor coupled between the base processing unit and the first and second communication transceivers for converting data received by the first and second communication transceivers to a format for processing by the base processing unit in accordance with the set of communicating software routines and for converting data processed by the base processing unit to a format for transmission by a selected one of the first and second communication transceivers, thereby isolating the base processing unit from differences between the first and second operating characteristics of the first and second communication transceivers.</p>	<p>For example, the base unit, processor and “multiple transceivers” referred to in connection with ‘633 Patent, Fig. 47 at col. 38, lines 9-46. See also, Fig. 1A (<i>e.g.</i>, microprocessor 225 coupled between base module 201 and the number of transceivers of module 228) and the discussion thereof (<i>e.g.</i>, at col. 8, lines 40-48; col. 9, lines 33-44; and generally at col. 9, line 5 to col. 10, line 2).</p>
<p>2. The system of claim 1 wherein the communication processor comprises:</p>	<p>See preamble of claim 1.</p>
<p>a first processing unit coupled between the base processing unit and the first communication transceiver for converting data received by the first communication transceiver to a format for processing by the base processing unit in accordance with the set of communication software routines and for converting data processed by the base processing unit to a format for transmission by the first communication transceiver, and</p>	<p>For example, in the ‘633 Patent, a microprocessor like the microprocessor 225 (within a first one of the number of various communication modules 200; see Col. 8, lines 40-48) coupled between base module 201 and transceiver 228 within a first one of communication modules 200; Fig. 1A; Col. 9, line 5 – Col. 10, line 2.</p>
<p>a second processing unit coupled between the base processing unit and the second communication transceiver for converting data received by the second communication</p>	<p>For example, in the ‘633 Patent, a microprocessor like the microprocessor 225 (within a second one of the number of various communication modules 200; see</p>

<p>transceiver to a format for processing by the base processing unit in accordance with the set of communication software routines and for converting data processed by the base processing unit to a format for transmission by the second communication transceiver.</p>	<p>Col. 8, lines 40-48) coupled between base module 201 and transceiver 228 within a second one of communication modules 200; Fig. 1A; Col. 9, line 5 – Col. 10, line 2.</p>
<p>3. The system of claim 1 wherein the first communication transceiver operates in a wired subnetwork and the second communication transceiver operates in a wireless subnetwork.</p>	<p>For example, in the '633 Patent, the first transceiver may be a transceiver like transceiver 228 (within a first one of a number of various communication modules 200; see Col. 8, lines 40-48; Fig. 1A; Col. 9, line 5 – Col. 10, line 2) that operates in a wired subnetwork, such as interface 229 that receives data from a scanner (Col. 9, line 16-21). A second transceiver may be a transceiver like transceiver 228 (within a second one of the number of various communication modules 200; see Col. 8, lines 40-48; Fig. 1A; Col. 9, line 5 – Col. 10, line 2) that operates in a wireless subnetwork, such as the spread spectrum communication referred to at Col. 9, lines 38-41 or the wireless subnetworks 1403 and 1405 of a communication network (Fig. 47; Col. 38, lines 9-14). In addition, Fig. 11 shows a first transceiver, such as MCD 518, that is connected to access point 512 (Col. 28, lines 52-53) and a second transceiver, such as the MCD 518 indicated by dotted lines, that has wireless communication with</p>

	access point 514.
4. The system of claim 3 wherein the wireless subnetwork comprises a backup network in the event of a failure in the wired subnetwork.	See, <i>e.g.</i> , '983 Patent, FIG. 50 and discussion thereof (<i>e.g.</i> , col. 41, lines 25-37).
5. The system of claim 4 wherein the communication processor is operable to test the wired subnetwork.	See, <i>e.g.</i> , '983 Patent, FIG. 50 and discussion thereof (<i>e.g.</i> , col. 41, lines 38-55).
6. The system of claim 5 wherein the communication processor is operable to initiate a test communication by the second communication transceiver and respond to the absence of receipt of a reply test communication by the first communication transceiver following initiation of a test communication by the second communication transceiver by conducting data communications with the second communication transceiver.	See, <i>e.g.</i> , '983 Patent, FIG. 50 and discussion thereof (<i>e.g.</i> , col. 41, lines 38-55).
7. The system of claim 6 wherein the communication processor is further operable to, in response to receipt of a test communication by the second communication transceiver, initiate a test communication by the first communication transceiver.	See, <i>e.g.</i> , '983 Patent, FIG. 50 and discussion thereof (<i>e.g.</i> , col. 41, line 38 to col. 42, line 50).

<p>8. (Previously presented) The system of claim 1 wherein the communication module is housed in a PCMCIA card.</p>	<p>See discussion of PCMCIA standard with respect to insertable module cards at col. 4 of the '983 Patent and numerous discussions of insertable radio cards through the specification.</p>
<p>9. The system of claim 1 wherein the communication processor is operable to relay communication received by one of its first and second communication transceivers for retransmission by the other of its second and first communications transceivers.</p>	<p>See, e.g., '983 Patent, FIG. 50 and discussion thereof (e.g., col. 41, line 56 to col. 42, line 50).</p>
<p>10. In the communication network of claim 1 including a computer and a plurality of mobile computing devices each coupled to the plurality of subnetworks and wherein at least one of the communication transceivers of each of the mobile computing devices operates in a wireless subnetwork, the communication processor of each mobile computing device being responsive to an out-of-range condition for the respective mobile computing device to initiate data communications by its said one communication transceiver to another of the plurality of mobile computing devices, the other of the mobile computing devices relaying data communications between the computer and the out-of-range data collection terminal.</p>	<p>See, e.g., '983 Patent, FIG. 50 and discussion thereof (e.g., col. 41, line 56 to col. 42, line 50).</p>

Claims 11, 18 and 25	See Claim 1
Claims 12, 19 and 26	See Claim 2
Claims 13, 20 and 27	See Claim 3
Claims 14, 21 and 28	See Claim 6
Claims 15, 22 and 29	See Claim 7
Claims 16, 23 and 30	See Claim 8
Claims 17, 24 and 31	See Claim 9

Accordingly, the Applicants submit that the currently pending claims do not represent the addition of new matter into the present application.

Rejections Under 35 U.S.C. § 102(b)

Turning next to the rejection of claims 1-31 under 35 U.S.C. § 102(b) as being anticipated by *Meier*, without conceding that *Meier* qualifies as prior art to the present claims, the Applicants respectfully traverse such rejections.

As an initial matter, *Meier* issued on July 4, 2000. As explained in the above support chart, the currently pending claims have an effective filing date at least as far back as August 11, 1995, and at least some (if not all) of the currently pending claims have an effective filing date at least as far back as August 31, 1993. Thus, *Meier* clearly does not qualify as a prior art reference under 35 U.S.C. § 102(b). Additionally, as shown on the face of *Meier*, such reference has a relatively extensive lineage, at least half of which does not qualify *Meier* as a prior art reference under 35 U.S.C. § 102(e). Accordingly, the Applicants respectfully request that, should the Examiner decide to utilize *Meier* as a prior art reference under 35 U.S.C. § 102(e) in the future, the Examiner utilize only subject matter in *Meier* with a respective filing date prior to the effective filing date of the claim at issue.

Turning next to the substantive rejections, MPEP § 2131 states that to anticipate a claim, the reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete

detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Turning first to independent claim 1, such claim is directed to a system for use in a communication network comprising a plurality of subnetworks, where the system comprises “a mobile computing device”, which in turn comprises particular elements. In addressing claim 1, and claims depending therefrom, the Office Action refers to many aspects of the *Meier* system that do not appear to be elements of a mobile computing device.

For example, the Office Action, at page 3, begins the analysis of claim 1 by identifying *Meier* items 116 and 118 (*i.e.*, Mobile Radio-equipped Computers, or MRCs) as examples of the claimed “mobile computing device”. Then, however, the Office Action continues to identify other components of *Meier*, in particular characteristics of the *Meier* Wireless Domain Access Point (WDAP), as components of the claimed mobile computing device. The Applicants respectfully submit that the *Meier* MRC and WDAP are distinctly different entities, and it is therefore improper to simply assign WDAP characteristics to the MRC.

More particularly, as a first example, the Office Action, at page 3, states that *Meier* discloses “a mobile computing device ... comprising ... a base module comprising a base processing unit operable on data in accordance with a set of communication software routines (Col. 1, lines 55-61 and Col. 2, lines 1-4, base stations required to adequately serve the system)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, the mere mention of a base station does not teach “a mobile computing device comprising a base module comprising a base processing unit operable on data in accordance with a set of communication software routines”. In fact, the mere mention of a base station does not teach any aspects of a mobile computing device.

As a second example, the Office Action, at page 3, states that *Meier* discloses “a mobile computing device ... comprising ... a first communication transceiver comprising a first operating characteristic to conduct data communications on a first of the plurality of subnetworks (FIG. 2, 101 and Col. 2, lines 51-54); a second communication transceiver comprising a second operating characteristic to conduct data communications on a second of the plurality of subnetworks, the second operating characteristic being different from the first operating characteristic and the second subnetwork being different from the first subnetwork (Fig. 2, 105,

Col. 2, lines 51-54, Col. 19, lines 36-48 and Col. 24, lines 50-65, wired and wireless)". The Applicants respectfully disagree with such characterization of *Meier*.

Meier, at Fig. 2, item 101 merely shows a wired subnet; and *Meier*, at col. 2 lines 51-54, merely mentions wireless relaying transceivers. Neither of such cited sections of *Meier* appear to present characteristics of a mobile computing device, much less a mobile computing device having first and second communication transceivers. Additionally, *Meier*, at Fig. 2, item 105, merely shows an OWL network coupling two wired networks; *Meier*, at col. 19 lines 36-48, merely discusses the OWL subnet 105 interconnecting two wired networks; and *Meier*, at col. 24 lines 50-65, merely discusses a second OWL network interconnecting two wired networks. None of such cited sections of *Meier* appear to present characteristics of a mobile computing device, much less a mobile computing device having first and second communication transceivers. Though such figures and related text generally discuss a WDAP coupled a wired subnet and providing wireless connectivity to other access points or to MRCs, there is no mention of an MRC (which the Office Action identifies as the claimed "mobile computing device") having a first and second transceiver.

As a third example, the Office Action, at pages 3-4, states that *Meier* discloses "a mobile computing device ... comprising ... a communication processor coupled between the base processing unit and the first and second communication transceivers for converting data received by the first and second communication transceivers to a format for processing by the base processing unit in accordance with the set of communicating software routines and for converting data processed by the base processing unit to a format for transmission by a selected one of the first and second communication transceivers, thereby isolating the base processing unit from differences between the first and second operating characteristics of the first and second communication transceivers (Col. 24, lines 51-66, WDAP has processor that converts data from wireless to wired network vice-versa)." The Applicants respectfully disagree with such characterization of *Meier*.

For example, in this case, the Office Action explicitly indicates reliance on characteristics of *Meier*'s WDAP, which does not appear to be characterized in *Meier* as a "mobile computing device". Thus, even if for the sake of argument only, *Meier*'s WDAP has the claimed processor,

such a processor in *Meier*'s WDAP does not teach the claimed processor in *Meier*'s MRC (*i.e.*, the alleged "mobile computing device").

The numerous examples presented above demonstrate that, on one hand, the Office Action states that *Meier*'s MRC is the claimed "mobile computing device", and then on the other hand, the Office Action relies on numerous characteristics of *Meier*'s WDAP (which is different from the MRC) as teachings of the claimed "mobile computing device". The Applicants respectfully submit that assigning characteristics of *Meier*'s WDAP to *Meier*'s MRC is improper.

Accordingly, for at least the numerous reasons presented above, the Applicants submit that claim 1 is allowable over *Meier*, as are all claims depending therefrom, including claims 2-10. The Applicants also submit that each of claims 2-10 is independently allowable.

Turning next to claim 2, such claim depends from claim 1 and states, "wherein the communication processor comprises: a first processing unit coupled between the base processing unit and the first communication transceiver for converting data received by the first communication transceiver to a format for processing by the base processing unit in accordance with the set of communication software routines and for converting data processed by the base processing unit to a format for transmission by the first communication transceiver, and a second processing unit coupled between the base processing unit and the second communication transceiver for converting data received by the second communication transceiver to a format for processing by the base processing unit in accordance with the set of communication software routines and for converting data processed by the base processing unit to a format for transmission by the second communication transceiver".

The Office Action is silent on the details of claim 2 (*e.g.*, the claimed "first processing unit" and "second processing unit"). If the rejection of claim 2 over *Meier* is maintained in the future, the Applicants request that the Examiner specifically identify where *Meier* teaches the aspects of claim 2. Since, the Office Action is silent with regard to the details of claim 2, the Applicants submit that the Office Action has not set forth a rejection that meets the mandates of MPEP § 2131.

Turning next to claim 3, such claim depends from claim 1 and states, "wherein the first communication transceiver operates in a wired subnetwork and the second communication

transceiver operates in a wireless subnetwork”. The Office Action, at page 4, states that *Meier* discloses “the system of claim 1 wherein the first communication transceiver operates in a wireless subnetwork (Fig. 2, 105, Col. 2, lines 51-54, Col. 19, lines 36-48 and Col. 24, lines 50-65, wired and wireless)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, the cited portions of *Meier* again refer to characteristics of the *Meier* WDAP rather than the *Meier* MRC, which the Office Action alleges is the claimed “mobile computing device”. Accordingly, the Applicants submit that the Office Action has not set forth a rejection of claim 3 that meets the mandates of MPEP § 2131.

Turning next to claim 4, such claim depends from claim 3 and states, “wherein the wireless subnetwork comprises a backup network in the event of a failure in the wired subnetwork”. The Office Action states that *Meier* discloses “the system of claim 3 wherein the wireless subnetwork comprises a backup network in the event of a failure in the wired subnetwork (Fig. 7, Col. 22, and lines 45-51)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, at Fig. 7 and col. 22 lines 45-51, *Meier* merely discusses a back-up wireless WDAP, which may be utilized in case another wireless WDAP fails. *Meier* says nothing about a failure in the wired subnetwork, much less a wireless subnetwork as a backup network in the event of a failure in the wired subnetwork. Thus, for at least this additional reason, the Applicants submit that claim 4 is allowable over *Meier*.

Turning next to claim 5, such claim as currently amended depends from claim 4 and states, “wherein the communication processor is operable to test the wired subnetwork”. The Office Action states that *Meier* discloses “the system of claim 4 wherein the communication processor includes test means (Fig. 8, 307) for testing the wired subnetwork (Col. 8, lines 20-28 and Col. 24, lines 21-24)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, col. 8 lines 20-28 of *Meier* merely discuss messaging to detect failed wireless links; and col. 24 lines 21-24 merely discuss message initiation. The cited sections of *Meier* do not mention testing a wired subnet, much less a communication processor of a mobile computing device (e.g., the MRC of *Meier*, which the Office Action alleges to be the claimed

“mobile computing device”) operating to perform such wired subnet testing. Accordingly, for at least this additional reason, the Applicants submit that claim 5 is allowable over *Meier*.

Turning next to claim 6, such claim as currently amended depends from claim 5 and states, “wherein the communication processor is operable to initiate a test communication by the second communication transceiver and respond to the absence of receipt of a reply test communication by the first communication transceiver following initiation of a test communication by the second communication transceiver by conducting data communications with the second communication transceiver”. The Office Action, at page 4, states that *Meier* discloses “the system of claim 5 wherein the test means includes means for initiating a test (303) communication by the second communication transceiver and means (291) responsive to the absence of receipt of a reply test communication by the first communication transceiver following initiation of test communication by the second communication transceiver for conducting data communication with the second communication transceiver (Col. 8, lines 20-28 and Col. 24, lines 21-24)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, col. 8 lines 20-28 of *Meier* merely discuss messaging to detect failed wireless links; and col. 24 lines 21-24 merely discuss message initiation. The cited sections of *Meier* do not mention the claimed test characteristics (e.g., such utilization of both first and second transceivers), much less the performance of such test characteristics by a communication processor of a mobile computing device (e.g., the MRC of *Meier*, which the Office Action alleges to be the claimed “mobile computing device”). Accordingly, for at least this additional reason, the Applicants submit that claim 6 is allowable over *Meier*.

Turning next to claim 7, such claim as currently amended depends from claim 6 and states, “wherein the communication processor is further operable to, in response to receipt of a test communication by the second communication transceiver, initiate a test communication by the first communication transceiver”. The Office Action, at pages 4-5, states that *Meier* discloses “the system of claim 6 wherein the test means further includes means responsive to receipt of a test communication by the second communication transceiver for initiating a test communication by the first communication transceiver (Col. 8, lines 20-28 and Col. 24, lines 21-24)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, col. 8 lines 20-28 of *Meier* merely discuss messaging to detect failed wireless links; and col. 24 lines 21-24 merely discuss message initiation. The cited sections of *Meier* do not mention the claimed test characteristics (e.g., such utilization of both first and second transceivers), much less the performance of such test characteristics by a communication processor of a mobile computing device (e.g., the MRC of *Meier*, which the Office Action alleges to be the claimed “mobile computing device”). Accordingly, for at least this additional reason, the Applicants submit that claim 7 is allowable over *Meier*.

Turning next to claim 8, such claim depends from claim 1 and states, “wherein the communication module is housed in a PCMCIA card”. The Office Action, at page 5, states that *Meier* discloses “the system of claim 1 wherein the communication module is housed in a PCMCIA card (Col. 23, lines 19-20)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, col. 23 lines 19-20 of *Meier* do not appear to mention PCMCIA at all, much less the claimed communication module (of a mobile computing device) being housed in a PCMCIA card. Accordingly, for at least this additional reason, the Applicants submit that claim 8 is allowable over *Meier*.

Turning next to claim 9, such claim as currently amended depends from claim 1 and states, “wherein the communication processor is operable to relay communication received by one of its first and second communication transceivers for retransmission by the other of its second and first communications transceivers”. The Office Action, at page 5, states that *Meier* discloses “the system of claim 1 wherein the communication processor further includes means for relaying communication received by one of its first and second communication transceivers (Col. 2, lines 53-55, Col. 3, lines 54-56 etc...)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, col. 2 lines 53-55 of *Meier* merely discuss relaying transceivers; and col. 3, lines 54-56 merely discuss bridging node activity. The Applicants were unable to find any mention in the cited passages of *Meier* relating to the claimed relaying being performed by a communication processor of “a mobile computing device”, as claimed in claim 9 (e.g., the MRC of *Meier*, which the Office Action alleges to be the claimed “mobile computing device”).

Accordingly, for at least this additional reason, the Applicants submit that claim 9 is allowable over *Meier*.

Turning next to claim 10, such claim depends from claim 1 and states, “In the communication network of claim 1 including a computer and a plurality of mobile computing devices each coupled to the plurality of subnetworks and wherein at least one of the communication transceivers of each of the mobile computing devices operates in a wireless subnetwork, the communication processor of each mobile computing device being responsive to an out-of-range condition for the respective mobile computing device to initiate data communications by its said one communication transceiver to another of the plurality of mobile computing devices, the other of the mobile computing devices relaying data communications between the computer and the out-of-range data collection terminal”.

The Office Action, at page 5, states that *Meier* discloses “... wherein at least one of the communication transceivers of each portable data collection terminals operates in a wireless subnetwork, the communication processor of each data collection terminal being responsive to an out-of-range condition for the respective portable data collection terminal to initiate data communication by its said one communication transceiver to another of the plurality of portable data collection terminals, the other of the data collection terminals relaying data communications between the computer and the first-named data collection terminal (Col. 8, lines 20-29)”. The Applicants respectfully disagree with such characterization of *Meier*.

For example, at col. 8 lines 20-29, *Meier* merely discusses high-level link maintenance. There is, for example, no mention of activity performed by a mobile computing device (e.g., the MRC of *Meier*, which the Office Action alleges to be the claimed “mobile computing device”), much less the out-of-range related activities stated in claim 10. Accordingly, for at least such additional reason, the Applicants submit that claim 10 is allowable over *Meier*.

Turning next to claims 11-17, such claims share various characteristics with claims 1-3 and 6-9, respectively. Thus, for at least reasons generally analogous to those discussed previously with regard to claims 1-3 and 6-9, respectively and where reasonably applicable, the Applicants submit that claims 11-17 are allowable over *Meier*.

Turning next to claims 18-24, such claims share various characteristics with claims 1-3 and 6-9, respectively. Thus, for at least reasons generally analogous to those discussed

previously with regard to claims 1-3 and 6-9, respectively and where reasonably applicable, the Applicants submit that claims 18-24 are allowable over *Meier*.

Turning next to claims 25-31, such claims share various characteristics with claims 1-3 and 6-9, respectively. Thus, for at least reasons generally analogous to those discussed previously with regard to claims 1-3 and 6-9, respectively and where reasonably applicable, the Applicants submit that claims 25-31 are allowable over *Meier*.

Final Matters

The Office Action makes various statements regarding, for example, the pending claims, *Meier*, and 35 U.S.C. § 102 that are now moot in view of the previous amendments and/or arguments. Accordingly, the Applicants will not address all of such statements at the present time. The Applicants expressly reserve the right to challenge any or all of such statements in the future should the need arise (*e.g.*, if such statements should become relevant by appearing in a future rejection of any claim).

Summary

Based on at least the foregoing, the Applicants believe that claims 1-31 are in condition for allowance. Accordingly, the Applicants courteously solicit a Notice of Allowability with respect to all pending claims. If the Examiner disagrees or has any question regarding this submission, the Applicants respectfully request that the Examiner telephone the undersigned at 312-775-8000.

Application No.: 10/787,443
Amendment dated May 26, 2009
Reply to Office Action dated Nov. 25, 2008

The Commissioner is hereby authorized to charge any other fees required by this submission or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: May 26, 2009

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